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DATE:

November 14, 2005

TO:

Examiner CHAU, Corey P.

**USPTO GAU 2644** 

FROM:

Jeffrey G. Toler 1777 De

Reg. No. 38,342

RE:

REVOCATION AND POWER OF ATTORNEY AND

CHANGE OF CORRESPONDENCE ADDRESS

U.S. APP NO.:

09/918,756

FILING DATE:

07/30/2001

APPLICANT(S):

Clayton Neil Cowgill

ATTY DKT NO.:

1087-RIO356 (7916-9)

TTTLE:

MEMORY EXPANSION FOR FORM-FACTOR CONSTRAINED

FAX NO.:

PORTABLE AUDIO DEVICE

NO. OF PAGES (INCL. COVER SHEET): 9

#### **MESSAGE:**

# Attached please find:

- 冈 PTO/SB/21 Transmittal Form (1 pg.)
- Revocation and Power of Attorney, Appointment of New Power of Attorney, and 冈 Change of Correspondence Address (1 pg.)
- Copy of Notice of Recordation of Assignment of 08/26/2005 and executed 冈 Assignment of Patent Rights (6 pgs.)

# BEST AVAILABLE COPY

5000 Plaza On The Lake Suite 265 AUSTIN, TEXAS 78746

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11116/2005

Date

PTO/SB/21 (09-04) Approved for use through 07/31/2008. OMB 0651-0031
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o a collection of information upless it displays a valid OMB control number. Under the Penerwork Reduction Act of 1995, no persons are required to respond to Application Number 09/918,756 Filing Date 07/30/2001 TRANSMITTAL First Named Inventor Clayton Neil Cowgill **FORM** Art Unit 2644 Examiner Name CHAU, Corey P. (to be used for all correspondence after initial filling) Attorney Docket Number 1087-RIO356 (7916-9) Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication to TC Drawing(s) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please identify Terminal Disclaimer below): Extension of Time Request Copy of Notice of Recordation Request for Refund Express Abandonment Request of Assignment of 08/26/2005 CD. Number of CD(s) Information Disclosure Statement Landscape Table on CD Remarks Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name TOLER, LARSON & ABEL, LLP Signature Printed name Jeffrey G. Toler Reg. No. Date 38,342 11-14.2008 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to trial consecuent of information is required by 37 CPK 1.0. The information is required to obtain of retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patient and Trademark Office, U.S. Department of Commence, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS COMPLETED FORMS TO THE COMPLETED FORMS TO THIS COMPLETED FORMS TO THE COMPLETED FORM ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Laura H. Andre

Typed or printed name

CUSTOMER 34456

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

HEGENVED CENTRAL FAX GENTER

Applicant(s):

Clayton Neil Cowgill

NOV 1 & 2005

Title:

MEMORY EXPANSION FOR FORM-FACTOR CONSTRAINED

PORTABLE AUDIO DEVICE

App. No.:

09/918,756

Filed:

07/30/2001

Examiner:

CHAU, Corey P.

Group Art Unit:

2644

Atty. Dkt. No.: 1087-RIO356 (7916-9)

Confirmation No.

2745

M/S AMENDMENT

COMMISSIONER FOR PATENTS

P.O. Box (450)

Alexandria, VA 22313-1450

### REVOCATION AND POWER OF ATTORNEY, APPOINTMENT OF NEW POWER OF ATTORNEY, AND CHANGE OF CORRESPONDENCE ADDRESS

I hereby revoke all previous powers of attorney given in the above-identified application and appoint the practitioners at Customer Number 34456 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

#### CHANGE OF CORRESPONDENCE ADDRESS

Please change the correspondence address for the above-identified application to the address associated with Customer Number 34456.

#### STATEMENT UNDER 37 CFR 3.73(b)

I am the Vice President and General Counsel of SigmaTel, Inc., which is the assignee of the entire right, title and interest in the above-identified patent application. Documentary evidence of a chain of title of the above-identified patent application can be found in the assignment records of the United States Patent and Trademark Office: from Clayton Neil Cowgill (the inventor) to SonicBlue, Inc. at Reel 012039 and Frame 0392; from SonicBlue, Inc. to Digital Networks North America, Inc. at Reel 014341 and Frame 0893; and from Digital Networks North America, Inc. to SigmaTel, Inc. at Reel 016459 and Frame 0590. 1 am duly authorized to act on behalf of SigmaTel, Inc.

10 Kingenber zors

Date

Alan D. Green

Vice President & General Counsel

SigmaTel, Inc.

U,S. App. No.: 09/918,756



UNITED STATES DEPARTMENT OF COMMERCE Patent and Tradomerk Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

# \*500047260A\*

AUGUST 26, 2005

PTAS

\*5000472609°

TOLER, LARSON & ABEL, LLF 5000 PLAZA ON THE LAKE SUITE 265 AUSTIN, TX 78746

> UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES DIVISION, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 08/26/2005

REEL/FRAME: 016459/0590

NUMBER OF PAGES: 3

DOC DATE: 08/25/2005

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

DIGITAL NETWORKS NORTH AMERICA, INC. BY DAVID MEISELS, GENERAL

COUNSEL, DEM HOLDINGS US, INC.

ASSIGNEE:

SIGMATEL, INC.

1601 S. MO PAC EXPRESSWAY

SUITE 100

AUSTIN, TEXAS 78746

SERIAL NUMBER: 09918756

FILING DATE: 07/30/2001

ISSUE DATE:

PATENT NUMBER: TITLE: MEMORY EXPANSION FOR FORM-FACTOR CONSTRAINED PORTABLE AUDIO DEVICE 016459/0590 PAGE 2

DOROTHY RILEY, PARALEGAL ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

PATENT	ASSIGNMENT		

08/26/2005

itylesheet Version		500047260		
SUBMISSION TYPE:		NEW ASSIGNMENT		
NATURE OF CONVEYANCE:		ASSIGNMENT		
CONVEYING PART	Y DATA			
<u> </u>		Name Execution Date		
Digital Networks No US, Inc.	rth America, Inc	c. by David Melsels, General Counsel, D&M Holdings 08/25/2005		
RECEIVING PARTY	DATA			
Name:	SigmaTel, Inc.			
Street Address:	1801 S. Mo I	1601 S. Mo Pac Expressway		
Internal Address:	Suite 100			
City:	Austin			
State/Country:	TEXAS			
Postal Code:	78746			
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Email: (andre@lptegalservices.com  Correspondent Name: TÓLER, LARSON & ABEL, LLP				
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Description Pg# 1 Cover Page 2 1021.TXT

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## ASSIGNMENT OF PATENT RIGHTS

This ASSIGNMENT OF PATENT RIGHTS (this "Assignment"), is entered into by Digital Networks North America, Inc., a Delaware corporation, DNNA (UK) Limited, a U.K. corporation, and D & M Holdings, Inc., a Japanese corporation ("DNNA" or "Assignor") with and for the benefit of SigmaTel, Inc. ("Assignee").

WHEREAS, Assignor has agreed to sell, assign, and transfer, and Assignee has agreed to acquire all of Assignor's rights, title and interests in and to pending U.S. Application No. 09/918,756. entitled "MEMORY EXPANSION FOR FORM-FACTOR CONSTRAINED PORTALBE AUDIO DEVICE," and filed on 07/30/2001, and including divisions, continuations, continuations-in-part, renewals, substitutes and extensions thereof, and in and to any and all resulting patents of every country or region that may be granted or have been granted, including any reissues and reexaminations thereof, (the "Assigned Patent Rights").

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns, and transfers to Assignee any and all worldwide rights, title and interests Assignor holds, or may hold, in and to the Assigned Patent Rights, together with all rights derived therefrom, including but not limited to the right to sue for and collect damages for past, present and future infringement.

Assignor further agrees that, should additional or further documentation of the assignment be required for whatever reason, Assignor will, without further consideration, provide or execute such other information or documents as may be useful or necessary upon Assignee's reasonable request.

Assignor hereby covenants that no assignment, sale, license, agreement, or encumbrance has been or will be made or entered into that would conflict with this Assignment.

This Assignment shall be binding on and shall inure the benefit of, the parties hereto and their respective successors and assigns. This Assignment will be governed by, and construed in accordance with, the internal laws of the State of Delaware applicable to contracts executed and performed entirely therein, without regard to the principles of choice of law or conflicts of law of any jurisdiction. If any term or other provision of this Assignment is invalid, illegal or incapable of being enforced by any rule of law or public policy, all other conditions and provisions of this Assignment will nevertheless remain in full force and effect so long as the economic or legal substance of the transaction contemplated

#### ASSIGNMENT OF PATENT RIGHTS

hereby is not affected in any manner materially adverse to any party. Upon such determination that any term or other provision is invalid, illegal or incapable of being enforced, the parties hereto will negotiate in good faith to modify this Assignment so as to effect the original intent of the parties as closely as possible in order that the transaction contemplated hereby are consummated as originally intended to the greatest extent possible.

IN WITNESS WHEREOF, Assignor has caused this Assignment of Patent Rights to be executed by its duly authorized representatives effective as of the date written below.

DIGITAL NETWORKS NORTH AMERICA, INC. ("DNNA")

Date: 8/25/05

Name: David Meisels

Title: General Counsel, D&M Holdings US, Inc.

STATE OF

COUNTY OF MUltromah

On this day of August, 2005, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within this instrument, personally appeared before me and acknowledged to me that he/she executed this instrument in his/her authorized capacity, and that by his/her signature, he/she or the entity upon behalf of which he/she acted, executed the instrument.

WITNESS, my hand and official seal.

Notary Public

